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TOWN CLERK, MONSON, MA

TOWN OF MONSON CONSERVATION COMMISSION

**MEETING MINUTES WEDNESDAY, SEPTEMBER 8TH, 2021 7:00 PM
TOWN OFFICE BUILDING, SELECTBOARD MEETING ROOM**

110 MAIN STREET, MONSON

The listings of matters are those reasonably anticipated, by the Chair, which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.

Board Present : Glenn Colburn , Marty Gilmore, Leslie Duthie, Davis Johnson(7:07pm)

Clerk : Penny Gustafson

Meeting called to Order at 7:04pm by Glenn Colburn

NOI 27 Palmer Road (*Continued from August 18th, 2021*) – Under consideration is a Notice of Intent for demolishing of an existing gas station and construction of a new station with convenience store at located at 27 Palmer Road property owner Getty Property Corp. Proposed is located within 200ft Riverfront Area of Chicopee Brook at property 27 Palmer Road (Map 112 Parcel 90)
Advertise Palmer Journal August 12th, 2021.

7:04pm

Russell Tedford spoke about the following as it relates to the project:

- Location of trees
- Removal invasive species
- Storm drain management
- Removal of Oils, grease etc.
- Review of DEP comments
- It is not feasible to move the basin further into the site due to the location of the Chicopee Brook

Glenn Colburn spoke about DEP comment #4 . Glenn Colburn and believes this is the best method to clean the water. Leslie Duthie agrees the method in place is the best due to the distance between the river and the parking lot .

Leslie Duthie wants the lights on the site to face down to avoid any light pollution. Glenn Colburn addressed DEP's comment about "Dark Sky Compliant". Glenn Colburn also said "Dark Sky Complaint" is the lights pointing down

Leslie Duthie asked about high water events and that are the safe guards in place. Specifically what safety measures are in place to protect the underground storage tanks? Russell Tedford said the tanks are fiberglass. The tanks are buried 8ft below the surface.

Davis Johnson asked if there was any issued with flooding during Hurricane Ida . Russell Tedford said that they didn't observe any flooding issues.

Leslie Duthie stated that she wants the river and the environment protected in that area. She would like Russell to think about the safety measures as if he lived there.

7:23pm Open to public comment – There was no Public comments or Questions
Leslie Duthie motioned to close the hearing and issue an Order of Conditions, more information will be added if needed. 2nd by Marty Gilmore. All in favor 4-0

NOI 31 King Ave – DEP 228-0417 *(Continued from August 18th, 2021)* Under consideration is a Notice of Intent for reconstruction and repair of on-site storm water and sedimentation and the implementation of routine operations, maintenance and inspection tasks at the site. All work is proposed within the Riverfront Resource Area both 100' and 200' at property 31 King Ave (Map 116 Parcel 022).
Advertise Palmer Journal August 12th, 2021.

7:25pm

Peter Engle spoke about the comments from DEP as it relates to the project:

Glenn Colburn said that the fee was \$387.50 and balance is \$292.50

Peter Engle spoke about the unpermitted work. They have blocked off the crossing and plan to loam and seed. Leslie Duthie requested that the seed is compatible with sandy soil mix.

Glenn Colburn said that the jeep trail needs to be addressed in the future. The crossing needs to be Posted and the crossing club needs to take action for violators Leslie Duthie said that is good start. Peter Engle said that there are logs blocking the crossing and some additional steps maybe needed in the future.

Leslie Duthie spoke about the need for water control. Peter Engle stated that they are trying to control the water so that it doesn't impact the structure.

Peter Engle spoke about the maintenance schedule and inspection log as it relates to the swales, road etc. There will be hay bales used during the off season.

Davis Johnson asked who will be doing the inspections. Leslie Duthie wants inspection reports and procedures in place before winter. Peter Engle said inspections will be done two times monthly and after ½-1 inch of rain. Glenn Colburn would like to know when the clean out of the basins will happen. Peter Engle stated that the inspections will dictate when they get cleaned out. Leslie Duthie asked that also be taken into taken into consideration when there is significant rain fall.

Comments/ Concerns from the Public

Laurie Chamberlain spoke about concerns with the water run-off. Leslie Duthie said that we can't determine what is normal and that we had significant amount of rain this year. Non-resident (no name provided) made the statement that in the past 4 years it's getting worse, the stream wider and the work that the club is doing is not working.

Glenn Colburn said that all the brooks are high due to the 17in of rain fall in July and we can't realistically say that it is a result of the work at the hill climb. Glenn Colburn also stated that the Hill climb is managing the erosion.

Glenn Colburn said that the Board is giving the Hill Climb the opportunity to correct issues and the Board will continue to monitor.

Laurie Chamberlain spoke about the excessive amount of sand/trash she is seeing. Glenn Colburn explained that stream moves sand/trash and we cannot say that it is from the Hill Climb. Glenn Colburn explained that the area along Main Street is a flood plain and excess water will fill the flood plain and recede after the rainfall. That is the nature of the flood plain when we have heavy rain, it's not the work of the Hill Climb. Laurie Chamberlain stated that she is concerned about the environment. Leslie Duthie said we all are. Glenn Colburn said that is why the Board is working with the Hill Climb, if they don't maintain the site it would be cause to revoke the agreement.

Attorney Chris Myhrum spoke about the 3 event that are scheduled and the club shouldn't be allowed to go forward with the events. The Hill Climb is illegal and should be restored to its original state. He also stated that the Board is validating illegal activity if they approve.

Glenn Colburn stated that the Board is aware of the events that are scheduled. Glenn Colburn said that the Board gave them permission to have the events so that they could raise money to pay for the needed repairs.

Attorney Chris Myhrum stated that the degree of the hill has changed and the sand and soil put there by the riders is what is causing the problem. Also stating you can't alter the use and call it legal. Attorney Chris Myhrum said the size of the hill is the problem. Attorney Chris Myhrum said the alternatives analysis in the NOI is inadequate.

Leslie Duthie stated that they don't know if the height of the hill has changed. The material that gets put back becomes finer. The maintenance of the basins and the removal of the silt more often needs to happen.

Roxanne Gunther stated that the Race track and the hill are two different things. Roxanne Gunther asked if they are going to be allowed to have events. Glenn Colburn said yes the Board wants to give them the ability to make money so the club can make needed repairs.

Glenn Colburn motioned to close the hearing to give the Board time to think about the possibility of having the hill restored. 2nd by Marty Gilmore. All in favor 4-0 Continued to October 20th, 2021.

Hearing closed at 8:35pm

RFD 110 Main street Rear, Veterans Field - Request for a Determination of Applicability to conduct Invasive Species Control and the removal of Japanese Knot Weed outside the fence line of Veterans Field along the Chicopee Brook. The project location Veteran's Field is at 8 State St., Map 114, Parcel 100. The property owner is the Town of Monson and the applicant is Dan Laroche, Director of Community Development.

Advertise Palmer Journal September 2nd, 2021.

8:39pm

Calvin Layton spoke about the removal of Japanese Knot Weed located at the Veterans Field along the brook.

- There were several treatments that were discussed
- The treatment is a full spray
- Will be bringing in a mini excavator to mow the hill down then re-treat the area
- There will be spotters on site during the treatment process.
- They will be able to seed in the fall 2 years after the 3rd treatment

Leslie Duthie ask how many treatments it will need. Calvin Layton said it would be 3 treatments. Davis has concerns about the potential of it growing back. Calvin Layton said they would have to cut the plants and treat

Glenn Colburn motioned to issue a Negative #2 determination. The work described in the Request is within an area subject to protection under the Act, but will not remove, fill, dredge, or alter the area. Therefore, said work does not require the filing of a Notice of Intent. 2nd by Leslie Duthie. All in favor 4-0 No further discussion

Informal Discussion:

45 Waid Road, DEP #228-217 / Parcel # 8-7 Andria Monette to discuss change in permanent buffer strip to accommodate a pool. Also to address encroachment of yard into buffer strip.

Andria Monette spoke about the potential project.

- The pool would be outside the work limit by 10ft
- Pool size is 24 X 40 feet
- Pool company will put up a silt fence

Glenn Colburn stated that he could not find the markers and he want markers put back. The property owner would have to get a land surveyor to do that. Glenn Colburn gave instruction to file an RFD for an official ruling and said that the Board would need a site map with specific plans.

1F Mayhill Road, DEP #228-150 / Parcel 58-1 Chris Bloom the owner of the property wants to discuss the Certificate of Compliance that was issued on or around June of 2018 to the prior owner.

Chris Bloom spoke to the Board on behalf of the potential buyers.

- Certificate of Compliance was recorded with the Registry of Deeds but condition # 24 was not discussed in the document.

Glenn Colburn read condition # 24 to the Potential owners (Tom & Mindy Slonka). The Potential owners (Tom & Mindy Slonka) asked about driveway maintenance. Glenn Colburn stated that mowing 3 feet on each side to better define the driveway and to avoid damage to cars is general maintenance. They could also repair the existing driveway with no major changes.

Dam on route 32 - Rick Anderson the owner of the dam on Route 32 requested an informal discussion. Continued from 08/18/2021 to determine if any conclusions regarding the drawdown of the pond on Rte. 32 with respect to the dam discussion

- The Board determined that Rick Anderson will need to file an NOI and ask for a letter of support from DER. Leslie Duthie will email Rick Anderson with this information.

Other Business:

Glenn Colburn asked for the following to be continued until further notice.

- Quaboag Hill Climb located at 31 King Ave
- Woloshchuk located at 156 Wilbraham Road

Leslie Duthie motioned to approve the Minutes for 8/18/2021 meeting, 2nd by Glenn Colburn. All in favor 4-0

Leslie Duthie motioned to approve the Minutes for 07/28/2021 meeting, 2nd by Davis Johnson. All in favor 4-0

Correspondence reviewed by the Board
Signed the bill Schedule for Turley Publication \$247.09

Davis Johnson motioned to adjourn the meeting, 2nd by Leslie Duthie. All in favor 4-0
Meeting adjourned at 9:41pm

Respectfully Submitted,



Penny L. Gustafson
Conservation Clerk